

IN THE SENATE OF THE UNITED STATES.

MARCH 31, 1880.—Ordered to be printed.

Mr. LOGAN, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bill S. 965.]

The Committee on Military Affairs, to whom was referred the bill (S. 965) for the relief of D. T. Kirby, respectfully report:

That on the breaking out of the war of the rebellion D. T. Kirby was one of the first of the citizens of Missouri to offer his services to the general government, and that he recruited, maintained, and organized an infantry company of one hundred men, which was mustered into the service in June, 1861, as Company E, Eighth Missouri Volunteer Infantry, and of which he was mustered as captain. In the same month he accompanied his regiment to the field, when it joined the troops under Grant at Paducah, Ky., and thereafter made part of the Army that captured Fort Henry and Fort Donelson, and took part in the battles of Shiloh and Corinth, and all of the marches, battles, sieges, and assaults of the Army of the Tennessee that resulted in the capture of Arkansas Post, Vicksburg, Mission Ridge, Atlanta, Savannah, and Jonesborough, and culminated in the surrender of Johnston's Army of the Tennessee at Durham Station, in North Carolina.

During this four years' service he held, consecutively, the commissions of captain, major, and lieutenant-colonel; received four severe wounds, and was an active, intelligent, daring officer, and at the conclusion of the war was honorably mustered out of the military service of the United States with the brevet commissions of colonel and brigadier-general of volunteers, and the highest commendation from Generals Grant, Sherman, Logan, Blair, and other officers with whom he served.

On the reorganization of the Regular Army he was appointed a captain of the Thirty-ninth United States Infantry, and received the regular brevets of major, for Chickasaw Bayou, Miss.; lieutenant-colonel, for assault on Vicksburg; and colonel, for Mission Ridge, Tenn., and Rivers Bridge, S. C.

While serving with his regiment at Fort Pike, La., he was court-martialed on various charges and specifications, and dismissed the service. Without attempting to go into detail, or to review or pass upon the proceedings, it is enough to say that the court-martial was not approved by the commanding officer, nor signed by the President.

If the sentence were valid, we think, in view of Captain Kirby's record and gallant conduct during the war, that the substitute authorizing the President, if he desire, to appoint said Kirby into the Army, should pass, and therefore recommend that the same do pass.

Your committee report back the bill with the substitute, and ask that this report may be taken in this case as the amended report of No. 193.

We hereto append letters from various officers.

HEADQUARTERS SEVENTEENTH ARMY CORPS,
Louisville, Ky., June 16, 1865.

GENERAL: I have the honor to request that Dennis T. Kirby, lieutenant-colonel Twenty-seventh Missouri Infantry, now on duty with me as picket-officer, be brevetted brigadier-general.

Lieutenant-Colonel Kirby entered the service in May, 1861, as captain Eighth Missouri Regiment, and with his regiment participated in the Missouri campaigns and battles of Fort Donelson and Shiloh. During the advance on Corinth he was promoted to major for gallantry at Russell House. He again distinguished himself at Chickasaw Bayou, and was wounded at Arkansas Post, after which he participated in the campaign against Vicksburg, when, in the first assault, he volunteered to lead the storming column. He had charge of the advance which crossed the Tennessee River in ponton boats and captured the enemy's pickets, the success of which contributed so much to the grand and decisive results of the battles which followed. He commanded his regiment up to Kenesaw Mountain. In August, 1864, he was transferred to the Twenty-seventh Missouri, after which he served upon my staff as picket officer. He was wounded while leading a cavalry charge, February 2, 1865, near Rivers Bridge, in the campaign from Pocataligo to Goldsborough. He has never been absent from his command on sick-leave or furlough. I think that this promotion would be but a just acknowledgment of his distinguished service.

Very respectfully, your obedient servant,

FRANK P. BLAIR,
Major-General.

Major-General JNO. A. RAWLINS,
Chief of Staff, Washington.

[Indorsement on the foregoing.]

Approved and respectfully forwarded to the Secretary of War.

U. S. GRANT.

HEADQUARTERS UNITED STATES ARMY, *June 23, 1865.*

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI,
Saint Louis, April 30, 1866.

I take pleasure in recommending to favor Bvt. Brig. Gen. D. T. Kirby, United States Volunteers. He served under me in various capacities during the whole war, and was universally esteemed, a most active, intelligent, and zealous officer. I shall deem it but an act of justice if he should receive from the Government of the United States an acknowledgment of his merits and services.

W. T. SHERMAN,
Major-General.

[Indorsement on the foregoing.]

I concur in the statement of General Sherman as to the merits of Bvt. Maj. Gen D. T. Kirby. He proved himself to be a most gallant and meritorious officer.

U. S. GRANT,
Lieutenant-General.

JUNE 2, 1866.

WASHINGTON, D. C., *June 29, 1866.*

To whom it may concern :

Bvt. Brig. Gen. D. T. Kirby served under my command during the time I had command of the Army of the Tennessee. He was remarkable for his gallantry on the field. I saw him near Rivers Bridge charge the enemy at the head of a small regiment of mounted infantry, when he was wounded. He showed great energy at all times, and specially distinguished himself as chief of staff of the Seventeenth Army Corps. I take great pleasure in bearing testimony to the brilliant military record of General Kirby, and trust he may be able to reap abundant fruits of his energetic and faithful labors during the war.

Respectfully,

O. O. HOWARD,
Major-General United States Volunteers.

WASHINGTON, D. C., July 11, 1866.

To the President :

It is with pleasure that I bear witness to the military character of Bvt. Brig. Gen. D. T. Kirby, who is an applicant for a position in the Regular Army. General K. entered the service early in the war, and arose to his position as a general officer by merit and capacity. He was for a long time on the staff of General Blair, and his bravery, energy, and military conduct attracted the attention of other officers, and caused him to sustain a reputation as good as the best.

I have observed his conduct frequently, and hence am led to believe that the service will be benefited by his appointment to a grade equal to his merit, and sincerely trust that he may succeed in his application.

Very respectfully,

WM. W. BELKNAP,
Late Bvt. Maj. Gen., Fourth Division, Seventeenth Corps.

WASHINGTON, D. C., July 14, 1866.

SIR: I would respectfully recommend Bvt. Brig. Gen. Kirby to your favorable notice, and urge that he receive an appointment in the permanent military service of the United States. General Kirby commenced at the very outbreak of the late war and served through the whole of that struggle, sustaining himself with great credit. He is an able officer, and I hope may receive the position that his services, patriotism, and ability entitle him to.

Very respectfully, your obedient servant,

JOHN M. OLIVER,
Brevet Major-General Volunteers.

Hon. E. M. STANTON, *Secretary of War.*

SAINT LOUIS, July 14, 1866.

To the President :

I desire to recommend Brevet Brig. Gen. D. T. Kirby for an appointment in the Regular Army. General Kirby served with his regiment, the Eighth Missouri Volunteer Infantry, of which he was major, and the Twenty-seventh Missouri Volunteer Infantry, of which he was lieutenant-colonel, with great distinction during the late war. Both of these regiments were under my command, and I was personally acquainted with the great merit of this officer; when anything was to be done requiring more than usual courage, zeal, and intelligence, Kirby was almost certain to be selected to lead the enterprise. Subsequently Colonel Kirby served on my staff as the chief picket officer of the Seventeenth Army Corps. In this position he was of great assistance to me. I always felt certain that every duty that devolved on him would be performed with the greatest zeal and alacrity. He was universally regarded by his superior officers as one of the most intrepid and skillful officers in our Army. He was severely wounded in a cavalry charge near Rivers Bridge, in South Carolina, and breveted as colonel and brevet brigadier-general for his gallantry and good conduct. He has earned an appointment in the Regular Army, if any man in the volunteer service can be said to have earned such an appointment, and he will do honor to any commission which your excellency may confer upon him.

Yours, truly,

FRANK P. BLAIR.

WAR DEPARTMENT,
BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS,
Washington, July 19, 1866.

SIR: I desire to call your attention to the eminent services of Bvt. Brig. Gen. D. T. Kirby, formerly lieutenant-colonel of the Twenty-seventh Missouri Infantry. When I took command of the Army of the Tennessee, General Kirby was the chief picket officer of the Seventeenth Army Corps, a position requiring more than ordinary sagacity, intelligence, and bravery. In Colonel Kirby these qualifications were found to a remarkable degree. He was prompt and energetic, and when I knew that a line had been placed or inspected by him, I knew that it was well done. During the time that I was in command of the army, he was often selected to conduct hazardous expeditions. He was wounded in a cavalry charge which he was leading, near Rivers Bridge,

S. C. I have had frequent occasion to witness his coolness and bravery in dangerous positions.

He desires to enter the Regular Army, and I heartily recommend him for the position he seeks.

I am, sir, very respectfully, your obedient servant,

O. O. HOWARD,
Major-General United States Volunteers.

Hon. E. M. STANTON, *Secretary of War.*

WASHINGTON, July 23, 1866.

SIR: I wish to call your attention to the services of General Kirby, formerly lieutenant-colonel of the Twenty-seventh Missouri Infantry. I am well acquainted with his services, having served under and with me in the Army of the Tennessee, from its organization up to the disbandment of the same. He was at all times a faithful, energetic, and gallant officer, many times performing service deeds, and always doing his duty; he was often selected to do particular service on account of his daring and good judgment; he was severely wounded during the march of the army through South Carolina. No man is better qualified than he to fill a position in the Regular Army. I would be greatly pleased to see him placed there, where he would certainly be of service to his country, and have his good offices appreciated by the government.

Very respectfully,

JOHN A. LOGAN,
(Late) Major-General.

Hon. E. M. STANTON, *Secretary of War.*

WASHINGTON, August 7, 1866.

MR. PRESIDENT: I respectfully request that you appoint Bvt. Brig. Gen. D. T. Kirby to be a major in the reorganized Army of the United States. His military record is clear; his testimonials from superior officers under whom he served during the late war ample and eulogistic; wounds attest his devotion; his discharge from the volunteer service is honorable and satisfactory. He seeks to use the skill attained in service to promote the glory of his country, and would spend his life in a pursuit into which he early entered in the hour of peril and doubt. He entered the service from my State and my district, and I but express its appreciation of him as a gentleman and officer by, in their name, soliciting for him your kind recognition in the office I ask for him.

I am, sir, respectfully, your obedient servant,

JOHN HOGAN.

[Indorsement on the foregoing letter.]

We indorse the within recommendation.

JAS. O. BROADHEAD.
CHAS. M. ELLEARD.
JOHN KNAPP.
EDW. McCABE.
E. B. BROWN.
C. G. MAURO.
A. TODD.
J. W. BLACK.
R. J. HOWARD.
J. B. ROGERS.
GEO. H. HALL.
DAVID MURPHY.
WM. I. MARTIN.

HOUSE OF REPRESENTATIVES,
COMMITTEE OF WAYS AND MEANS,
Washington, D. C., August 7, 1866.

MR. PRESIDENT: I respectfully request that you appoint Brevet Brig. Gen. Dennis T. Kirby to be a major in the reorganized Army of the United States. His military record is clear; his testimonials from superior officers under whom he served during the late war ample and eulogistic; wounds attest his devotion; his discharge from the volunteer service is honorable and satisfactory. He seeks to use the skill attained in service to promote the glory of his country, and would spend his life in a pursuit into which he early entered in the hour of peril and doubt. He entered the service

from my State and my district, and I but express its appreciation of him as a gentleman and an officer by, in their name, soliciting for him your kind recognition in the office I ask for him.

I am, sir, respectfully, your obedient servant,

JOHN HOGAN.

[Indorsement on the foregoing.]

General Kirby has applied for a captaincy, but [his service entitles him to the majority which I understand will open from Missouri. I hope the President will give it to him. As Mr. Hogan states, no man has done better service than General Kirby. All his superiors attest his capacity, courage, and devotion to the country. He is a great favorite also with those who served under him, and with the people of Missouri.

M. BLAIR.

AUGUST 9, 1866.

SILVER SPRING, August 25, 1866.

DEAR MR. PRESIDENT: Frank writes desiring his brother and me to promote as far as we can the appointment of General Kirby in the regular service. I know of no better means than stating the facts as to his deserts in as few words as possible. He is a self-made man, beginning to work for himself at the age of fourteen without means. He gave up the little business on which he was thriving at the commencement of the rebellion, and, raising a company at his own expense in Saint Louis, began in aiding Frank's efforts there. He rose in his regiment through all the grades to lieutenant-colonel, and was mustered out with it after three years' service. He then re-entered the service as lieutenant-colonel of Twenty-seventh Regiment Missouri Volunteers. He was immediately detailed as chief picket officer of Seventeenth Army Corps, and was successively brevetted colonel and brigadier-general on active service to the close of the war. He fought as captain at the battles of Fort Henry, Fort Donelson, at Shiloh, Chickasaw Bayou, Arkansas Post, Champion Hills, Jackson, and siege of Vicksburg. After Vicksburg, as lieutenant-colonel, he was engaged in the battles of Chattanooga, Resaca, Dallas, and Kenesaw Mountain, and then as chief picket officer in all the battles and skirmishes his position involved on Sherman's advance to Atlanta, and the march to the seaboard, and the point of Johnston's surrender. General Howard, in his recommendation, says, "He was chief picket officer" in the van of his army, and adds, "a position requiring more than ordinary sagacity, intelligence, and bravery. In Colonel Kirby these qualifications were found to a remarkable degree. He was prompt and energetic, and when I knew that a line had been placed or inspected by him, I knew that it was well done. He was often selected to conduct hazardous expeditions. I have had frequent occasion to witness his coolness and bravery in dangerous positions." *He heartily recommends him for the position he seeks.* General Sherman recommends and says: "He served under me in various capacities during the war, and was universally esteemed a most active, intelligent, and zealous officer. I shall deem it but an act of justice if he should receive from the Government of the United States an acknowledgment of his merit and services." On this General Grant indorses: "I concur in the statement of General Sherman as to merits of Brevet Brigadier-General Kirby. He proved himself a most gallant and meritorious officer." Generals Logan, Belknap, and Blair, under whom he served, go more into detail, and accord the highest praise. He was thrice severely wounded, and had three horses shot under him.

With great regard, yours, affectionately,

F. P. BLAIR.

WASHINGTON CITY, August 27, 1866.

To His Excellency the PRESIDENT:

Your attention is respectfully called to the recommendations which the State of Missouri (through her representatives) has made concerning the appointment of Bvt. Brig. Gen. D. T. Kirby (late chief picket officer Seventeenth Army Corps) to the position of major, United States Army.

Since the interview between your excellency and the delegates of Missouri to the Philadelphia convention headed by Hon. John Hogan, at which time the above-mentioned recommendations were handed you, we have learned that the name of George W. Schofield has been placed upon the list for appointment to be accredited to Missouri. General Schofield *is not and never was* a resident of the State of Missouri. He is, and has been, a resident of the State of Illinois. It is true that in the latter part of 1861 he received a commission in a Missouri regiment, of which his brother (Maj. Gen. John M. Schofield) was major.

We have recommended General Kirby as a *Missourian*, who resided there before the war, and who in 1861 was one of the first to rush to the defense of the government. His course through the war is a matter of history; no officer, regular or volunteer, can show a better record. He is a *self-made man*, relying not upon the influence of relations for promotion, but, as the testimonials of Generals Grant, Sherman, Howard, Blair, Logan, Smith, and other officers with whom he has served will show, he has by his zeal, devotion, fearless bravery, and good judgment advanced himself from a captaincy in the Eighth Missouri to the position of brevet brigadier-general and chief picket officer of the Seventeenth Army Corps. We have been led to believe that Missouri should receive one of the majorities in the Army. If so, we present again the name of D. T. Kirby as the choice of Missouri; and in this connection allow us to say that General Schofield neither claims to be nor is he recognized by us as a resident of Missouri. Therefore we ask that our petitions and recommendations be not ignored without *just and reasonable* cause, but simply ask you to do justice, and render unto Missouri that which is due to Missouri.

On behalf of the Missouri delegation to the Philadelphia convention and the Union conservative people of Missouri.

THOS. L. PRICE,
MORGAN L. SMITH.
DAVID MURPHY.
CHAS. G. MAURO.
JAS. S. ROLLINS.
WM. I. MARTIN.

ADJUTANT-GENERAL'S OFFICE,
January 14, 1880.

I certify the foregoing are true copies of the original letters of recommendation on file in this office.

SAMUEL BRECK,
Assistant Adjutant-General.